

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, OCTOBER 11, 19 77

CITY OF FORT WAYNE INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council

Chambers Tuesday evening October 11 A.D., 19 77, in
Regular Session. President John Nuckols in the chair,
and Charles W. Westerman Clerk, at the desk, present the following

members _____ viz:

BURNS ✓, HINGA ✓, HUNTER ✓,

MOSES ✓, NUCKOLS ✓, DONALD SCHMIDT ✓,

VIVIAN SCHMIDT ✓, STIER ✓, TALARICO ✓,

ABSENT _____

COUNCILMAN _____, _____, _____,

_____, _____, _____,

The invocation was given by Reverend Doyle Staton McKee

Street Church of God

Received report from the City Controller for the month of _____,

19 _____. Motion made and carried that report be made a matter of record and placed
on file.

The minutes of the last Regular September 27, 19 77,

_____, 19 _____,

Special _____, 19 _____,

Session having been delivered to the Council, were, on motion, approved and
published.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

September 29, 1977

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, September 29, 1977, I have approved the following ordinances passed by Common Council at its regular meeting of September 27, 1977.

(Bill No. A-77-09-18)
APPROPRIATION ORDINANCE NO. A-19-77

AN ORDINANCE appropriating funds from the Anti-Recessionary Funds to various accounts within the General Fund of the City of Fort Wayne

(Bill No. R-77-09-22)
RESOLUTION NO. R-51-77

A RESOLUTION authorizing payment for repair of Board of Safety's Vehicles

(Bill No. S-77-09-07)
SPECIAL ORDINANCE NO. S-199-77

AN ORDINANCE authorizing the Board of Aviation Commissioners to extend the lease with Airport Restaurants, Inc., an additional fifteen years

(Bill No. G-77-06-16)
GENERAL ORDINANCE NO. G-35-77

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain part of a subdivision and streets

(Bill No. G-77-08-36)
(AS AMENDED)
GENERAL ORDINANCE NO. G-36-77

AN ORDINANCE amending certain Sections of Chapter 17 of The Code of the City of Fort Wayne, Indiana of 1974

MADE A MATTER OF RECORD
DATE 10-11-77 CHARLES W. WESTERMAN, CITY CLERK



(Bill No. G-77-09-09)
GENERAL ORDINANCE NO. G-37-77

AN ORDINANCE amending certain Sections of the Code of the City of Fort Wayne, Indiana of 1974

(Bill No. S-77-09-10)
SPECIAL ORDINANCE NO. S-200-77

AN ORDINANCE approving Change Order No. P-3 in connection with Project No. 7551-B

(Bill No. S-77-09-11)
SPECIAL ORDINANCE NO. S-201-77

AN ORDINANCE approving Change Order No. 11 in connection with Terminal Ponds

(Bill No. S-77-09-12)
SPECIAL ORDINANCE NO. S-202-77

AN ORDINANCE approving blanket purchase order Bulk Salt for the Street Department

(Bill No. S-77-09-13)
SPECIAL ORDINANCE NO. S-203-77

AN ORDINANCE approving a contract with Schmidt Electric, Inc. for installation of street lighting with underground wiring in Springwood Addition

(Bill No. S-77-09-14)
SPECIAL ORDINANCE NO. S-204-77

AN ORDINANCE approving a contract with T. & F. Construction for installation of street lighting

(Bill No. S-77-09-15)
SPECIAL ORDINANCE NO. S-205-77

AN ORDINANCE approving Change Order No. 1 in connection with Colonial Heritage Area

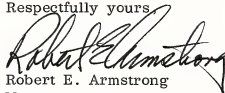
(Bill No. S-77-09-16)
SPECIAL ORDINANCE NO. S-206-77

AN ORDINANCE approving a contract with Rems Corporation for materials for the Three Rivers Filtration Plant

(Bill No. S-77-09-17)
SPECIAL ORDINANCE NO. S-207-77

AN ORDINANCE approving a contract with Bruning Division A. M. Corp. for materials for the Technical Services Department

Respectfully yours,



Robert E. Armstrong
Mayor



THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

September 27, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-77-08-30

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
27th day of September, 1977.

Joseph N. Adair

Joseph N. Adair
Secretary
DATE 10-11-77 BY CHARLES W. WESTERMAN, CITY CLERK
MATTER OF RECORD



THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

September 27, 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held September 26, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-77-08-30
2. From "RA" to "M1"
3. Intended Use: Building Contractor's office and warehouse
4. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reason:

- a. The Plan Commission recommends that this request be denied in view of recent interest in single family development in this area.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted.

CITY PLAN COMMISSION

Gary Baeten (pr)

Gary F. Baeten
Land Use Administrator

GFB:pr
ATT.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 23, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-08-30; and.

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and.

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 19, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

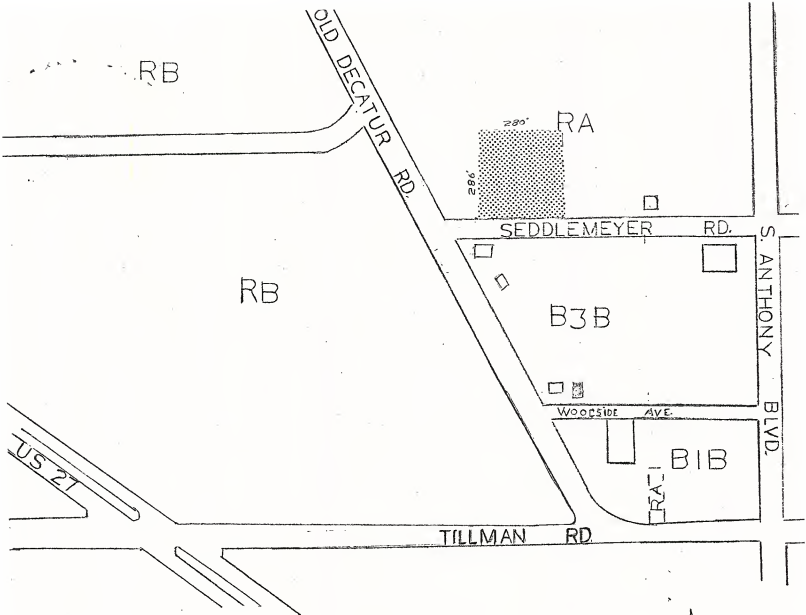
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 26, 1977.

Certified and signed this
27th day of September, 1977.

Joseph N. Adair

Joseph N. Adair
Secretary



REZONE FROM RA TO MI

MAP NO C-14

2-77-08-30

BY MFC

8-6-77



THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

September 27, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-77-08-13

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
27th day of September, 1977.

Joseph N. Adair

Joseph N. Adair
Secretary

MADE A MATTER OF RECORD
DATE 10-11-77 CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

September 27, 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held September 26, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the the ordinance:

1. Bill No. Z-77-08-13
2. From "R3" to "B1B"
3. Intended Use: Expansion of the Mariott Inn
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. This request is a logical extension of an existing commercial district.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Gary Baeten (pr)

Gary F. Baeten
Land Use Administrator

GFB:pr.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 9, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-08-13; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 19, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

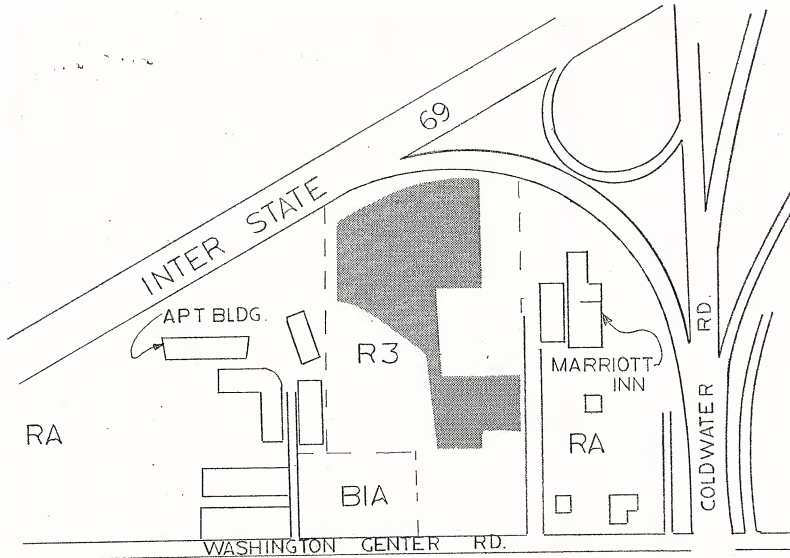
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 26, 1977.

Certified and signed this
27th day of September, 1977.

Joseph N. Adair

Joseph N. Adair
Secretary



■ REZONE FROM R3 TO BIA
MAP NO. A 19

MFC
7-14-77

2-77-08-13





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

September 28, 1977

Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

COMMUNICATION FROM CITY PLAN COMMISSION

Gentlemen and Mrs. Schmidt:

Attached hereto is the study and recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Fort Wayne Corporate Limits. The proposed ordinance is designated as: BILL NO. X-77-05-24.

At the City Plan Commissions regular meeting, held on September 26, 1977, this bill received a DO PASS recommendation for the reasons detailed in the Commissions resolution on page V-3 of the study.

Certified and signed this
28th day of September, 1977.

Respectfully submitted
CITY PLAN COMMISSION

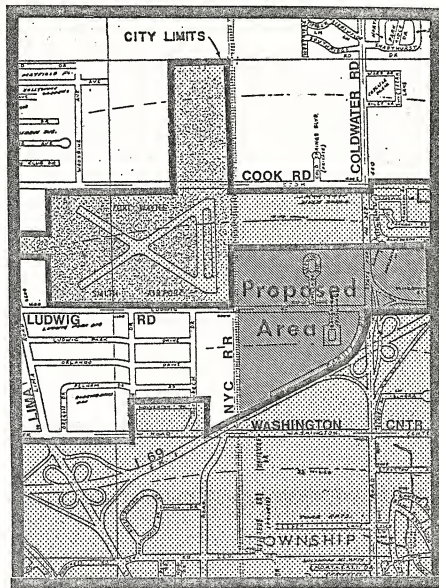
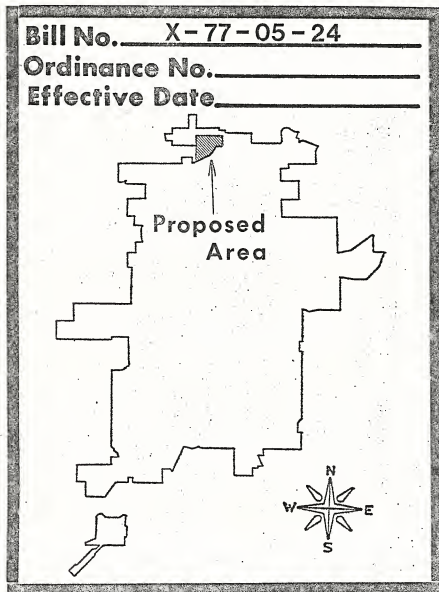
Joseph N. Adair

Joseph N. Adair
Secretary

MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK



OAKBROOK PARK ANNEXATION



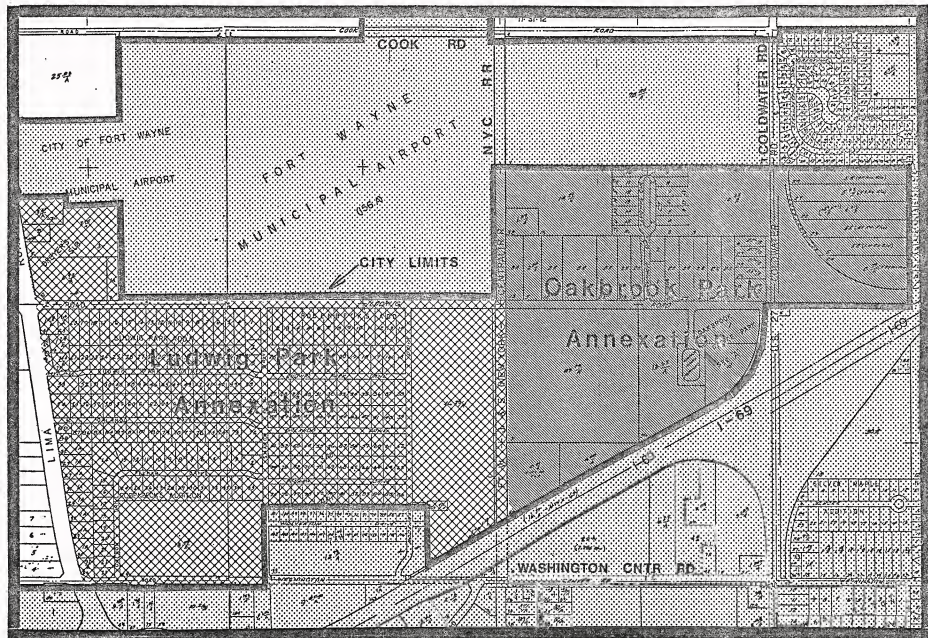
The City of Fort Wayne, Indiana - Community Development & Planning

TABLE OF CONTENTS

INTRODUCTION

I.	BASIC DATA	I.1
A.	Location	I.1
B.	Size	I.1
C.	Population	I.1
D.	Buildings	I.1
E.	Zoning	I.1
F.	Land Use	I.1
G.	Planning	I.2
II.	MUNICIPAL SERVICES	II.1
A.	Essential Services	II.1
B.	Other Municipal Services	II.4
III.	FORT WAYNE UTILITIES	III.1
A.	Water	III.1
B.	Sewers	III.5
IV.	FINANCIAL SUMMARY	IV.1
A.	Revenue	IV.1
B.	Expenditures	IV.1
C.	Five Year Summary	IV.3
V.	SUMMARY AND RECOMMENDATION	V.1
A.	Indiana Annexation Statutes	V.1
B.	Fort Wayne's Annexation Policy	V.2
C.	City Plan Commission Resolution	V.3

MAP I



INTRODUCTION

The Oakbrook Park area is north of Fort Wayne in Washington Township. The area is surrounded by the City of Fort Wayne on its northern, eastern, and southern boundaries. The land directly west of the Oakbrook Park area is a residential development named Ludwig Park, for which an annexation ordinance has been introduced into City Council and is presently under study by the City Planning Commission. The Oakbrook Park area meets the necessary Indiana criteria for annexation by being at least one-eighth contiguous to the corporate limits. Oakbrook Park is seventy-five percent (75%) contiguous to Fort Wayne. The future development criteria established by law is the basis for annexing this area. In addition, the City of Fort Wayne has developed the necessary fiscal plan for the area as required by the Indiana Statutes.

The future development criteria allows a city to annex an area if the area is needed and can be used by the city for its future development in the reasonably near future. Population projections have indicated the need for Fort Wayne to grow to accommodate its expanding urban area. The City Plan Commission has adopted an adjacent growth strategy in regards to future development. Growth adjacent to the corporate limits provides greater ease in concisely planning the services needed for development such as the utilities. Oakbrook Park is ideal for adjacent future development of Fort Wayne since its boundaries are contiguous (75%) to the City on the north, east, and south. In viewing the adjacent map, it becomes apparent that if Ludwig Park is annexed, the Oakbrook Park area will become a county island within the City Limits if it is not annexed.

In summary, the Oakbrook Park area would be a logical extension of Fort Wayne for its future development. The area would enhance the adopted adjacent growth strategy since the area has room to develop, being forty-five percent (45%) underdeveloped. The following ordinance reveals the area's basic data, the municipal services to be provided, the fiscal plans, and a summary and recommendation.

*

BASIC DATA

A. LOCATION

Generally located North of Fort Wayne in Washington Township as follow.

South of Cook Road, East of New York Central Railroad, North of I-69, and West of Springwood Addition.

B. SIZE

The area encompasses approximately 200 acres or .31 miles.

C. POPULATION

According to the 1970 Census of Housing* there are 3.52 persons per housing unit for this area. With 37 dwelling units in the area, an estimated 130 people live in the Oakbrook Park annexation area.

D. BUILDINGS

Type	Number	Condition
Commercial	3	Excellent
Residential	37	Excellent-Good
TOTAL	40	

E. ZONING

Presently, 80% of the 193.85** acres of land located within the area is classified RS1, Single Family Residence, under the zoning laws of Allen County. Of the remaining area 6% is zoned C3, General Commercial, and 14% CIA, Professional Services. Upon annexation the land shall be in the territorial jurisdiction of the City Plan Commission and shall automatically become classified with the corresponding city zoning:

(80%) RS1 will change to - R1, Single Family Res.
(6%) C3 will change to - B3B, General Business
(14%) CIA will change to - B1A, Limited Business

F. LAND USE

Type	Acres	Percent
Agricultural or Vacant	88.97	45%
Recreational	12.411	6%
Residential	87.899	44%
Commercial	4.57	2%
Streets or Roads	6.15	3%
TOTAL	200.00	100%

* "1970 Census of Housing, Block Statistics", U.S. Dept. of Commerce, Bureau of the Census, September 1971.

** Additional 6.15 acres in streets and roads

G. PLANNING

The Comprehensive Plan of Allen County, Indiana* classifies the Oakbrook Park annexation area as suburban residential according to the 1990 Land Use Map. The Plan indicates that suburban subdivision development will be encouraged in this area in the future and further suggests that the area should be served by a full range of community facilities as a means to accommodate the future growth. It is projected that Washington Township will increase approximately 12,500 people by the year 1990. As discussed in the Comprehensive Plan, higher densities will be encouraged in residential districts on sites which can reasonably absorb this form of development. Well planned, higher residential densities are less costly in terms of land use, government and private investment, environmental costs, water use, as well as personal maintenance and costs.

Ludwig Road, a major access road to the Oakbrook Park area, is classified as an urban collector street for 1990 according to the Allen County Comprehensive Plan and the 1990 Transportation Plan**. The Comprehensive Plan defines urban collector streets as distributing traffic from the arterials to the neighborhoods divided by local or collector streets. Ludwig Road is presently a collector street so it will maintain its status in the future with new development.

* "Allen County Comprehensive Plan", The Allen County Plan Commission, May 1976.

** "Fort Wayne, New Haven, Allen Co. Transportation Study (1990)", The Three Rivers Coordinating Council.

The City and County Plan Commissions have both adopted adjacent growth strategies. Adjacent growth encourages development of vacant areas contiguous to Fort Wayne and discourages scattered land growth. The Allen County Comprehensive Plan discusses important implications of this strategy such as utility and facility cost being minimized and that community facilities should be provided in a coordinated and efficient manner. Since the Oakbrook Park area is surrounded by the City Limits on the northern, southern, and eastern sides and the area is 45% (88.97 acres) undeveloped, growth of this area will be encouraged by both the City and County. Annexation of the area will provide the legal mechanism to insure the necessary urban services to the present and future development of the Oakbrook Park area.

*

MUNICIPAL SERVICES

A. ESSENTIAL SERVICES

Essential services must be available upon the annexation of an area according to Indiana State Law, and include police protection, fire protection, garbage collection, traffic control, and Emergency Medical Services. Essential services are paid out of the tax base with no additional cost to the user for that service.

1. Police

Simultaneous with annexation, the Fort Wayne Police Department will become responsible for servicing the Oakbrook Park annexation area. The responsibilities of the department to the area is the maintenance of order and enforcement of laws. Such responsibilities encompass prevention and detection of criminal activity and apprehension of criminal offenders. It is also involved in legal issues such as participation in court proceedings and protection of constitutional guarantees. Assistance is given to those who cannot care for themselves or who are in danger of physical harm. The Police Department will also service the area with control of traffic, resolution of day to day conflicts among family, friends and neighbors, creation and maintenance of a feeling of security in the community, and promotion and preservation of civil order.

At the present time, the department has 1,688 sworn policemen per 1,000 population. With an estimated population of 160 people in the Oakbrook Park Annexation, .270 additional police officers and .028 communication personnel will be needed. The additional equipment necessary to support this area would be .089 of a car and .089 of a radio. A precinct station is not needed as a result of this annexation.

The table below list the type of additions needed and their cost for the area.

<u>Account Name</u>	<u>Cost</u>
.089 of a vehicle (veh., gas, parts, etc.)	\$ 934.50
.089 of a portable radio	120.15
.27 of a police officer	4,028.84
.019 of a civilian	159.60
.028 of a communication officer	417.80
maintenance & upkeep of communication equipment	48.02
TOTAL	\$5,708.91

The Police Department must keep tabulations on the percentage of personnel and equipment necessary for the annexation. The Chief of Police will study the manpower allocation in the department and after evaluating all the parameters, assign additional help where the new requirements demand it. The source of funding used to provide the implementation of scheduled improvements is the Police budget, as approved by the City Council.

Calls for police services are set upon a priority system (Example: Call for service - read a motor number - low priority, call for service-rape-high priority). If a call was received for reading a motor number and a squad car is available, it is sent. If they are almost there or arrived and a call for service for rape is received in communication, the squad is called off and the higher priority call takes precedence. This is done to give a high priority call for service a fast response time, which is normally the emergency type request. High priority response time is approximately 3 minutes.

2. Fire

The services the Fort Wayne Fire Department will be providing the proposed annexation area are the suppression of fire, fire prevention education, and fire inspections of churches and all commercial establishments.

The Fire Department will respond with firefighting equipment, materials and personnel to the proposed annexation area as it responds to similar locations within the City.

The Oakbrook Park annexation will not require additional personnel, equipment nor a fire station. The only costs will be operating costs listed below:

<u>Account Name</u>	<u>Cost</u>
Postage	\$ 2.00
Printing	6.00
Photography	2.00
Maintenance	10.00
Gasoline	27.00
Oil	3.00
Tires & Tubes	3.00
Garage Supplies	88.00
Medical, Surgical & Dental	37.00
Diesel Fuel	19.00
Repair Parts	31.00
TOTAL	\$ 228.00

The source of funding to provide these necessary services will be through taxation.

The Fort Wayne Fire Department is servicing, through a fire contract with GT&E Data Service

Corporation, lots #1 and #2 in Oakbrook Office Park. The sum under this contract is \$3,299.45.

The Fort Wayne Fire Department at this time provides service to the immediate north, east and south of the proposed annexation area. Therefore, immediate service will easily be provided to this area upon annexation.

3. Emergency Medical Service (EMS)

Upon annexation, the EMS Department will provide educational services to the public when needed in the form of slide and ambulance presentations. Also, the people of the proposed area will receive better service due to the Fire Department responses with the Fort Wayne Emergency Medical Service on serious nature runs such as heart attacks, parties unconscious and serious automobile accidents.

At this time the Emergency Medical Service does not provide any ambulance coverage to this proposed area. It is all handled by county or funeral home units. Immediately following annexation, EMS will assume responsibility for servicing this area. The estimated figure of ambulance runs to the end of this year, 1976 would indicate approximately 16,000. When dividing 16,000 by an estimated city population of 200,000 people, we show a fraction of .08 runs per person. The estimated number of people in the proposed annexation area is approximately 130. When multiplying 130 by .08, which is the fraction of runs per person we get a proposed figure of approximately 10.40 additional ambulance runs for this area. This means there would be an increase of ambulance runs to our existing service. The response time of ambulance runs to this area will be no longer than to other areas of the City.

There will be no additional personnel required since the present quota of Emergency Medical Technicians will be able to provide the services required. Also, no capital costs, such as new ambulances, are required. However, there is always the possibility of capital costs occurring in the event of lost or damaged equipment that would have to be replaced to keep the proper inventory on these units. The cost of annexing Oakbrook Park for EMS is listed below.

<u>Account Name</u>	<u>Cost</u>
Salaries	\$ 238.24
Postage	.24
Traveling	.80
Printing	.48
Repair of Equipment	5.12
Instruction	3.60
Telephone & Telegraph	1.04
Medical Services	.80
Gasoline	11.92
Oil	.24
Tire & Tubes	.08
Household, Laundry & Cleaning	.48
Other Supplies	.40
Other Institutional & Medical Supplies	7.68
Official Records	.80
Stationary & Printing	.48
Other Office Supplies	.64
Repair Parts	2.40
Insurance	20.96
Subscriptions & Dues	.16
Retirement & Social Security	10.56
Office Equipment	.16
Other Equipment	3.60
	<u>\$ 310.88</u>

The source of funding used to provide the necessary service will be through taxation.

4. Solid Waste Collection

Under the terms of the present contract, between the City of Fort Wayne and National Serve All, the cost of solid waste collection is \$34.89 per household per year. With 37 households within the area, the total costs will be \$1,290.93 per year. If additional personnel is needed they will be hired by the contractor. It will require additional administrative personnel.

5. Traffic Control

Traffic control involves installation and maintenance of traffic control devices including surveys, investigations and fire alarm systems.

Additional personnel will not be required for this annexation area. The necessary equipment for the Oakbrook Park area are listed below with the costs.

<u>Account Name</u>	<u>Cost</u>
Annual Paint Program	
2,300 ft. yellow	\$ 294.40
5,200 ft. white	639.60
8 - street name installations	466.80
3 - sets intersection control	283.20
1 - fire alarm box	<u>1,500.00</u>
TOTAL	\$3,184.00

Presently the Traffic Engineering Department has a paint contract with the County. The City of Fort Wayne will assume total responsibility for traffic control in this area upon annexation. The services, provided by Traffic Engineering for this area, will be comparable to the rest of the City of Fort Wayne by six months after annexation. The source of funding that could be used to provide for the installation of the scheduled improvements and/or services are Real Estate Taxes, MVH Funds, and Revenue Sharing.

B. OTHER MUNICIPAL SERVICES

Other Municipal Services are generally obtained by petition of the property owners. These services include parks, new streets and sidewalks, and lighting. These services are dependent upon availability of funds and certain services require additional financial participation from the petitioners.

1. Street Lighting

A street lighting survey report has been prepared by Carl O'Neal, Street Light Administrator. The report encompasses general street lighting facts, benefits, accepted modern practices, available light sources, and Master Plans for street lighting. Specifics are then discussed involving finances and recommendations for the Oakbrook Park area. The following section on street lighting includes excerpts from the survey report which specifically relate to the Oakbrook area.

Street light improvements could be provided immediately after the Board of Public Works receives petitions requesting street lighting from the new

Fort Wayne citizens providing this is approved and funding is available. It should be understood that all costs of materials and labor in this report are based on current prices and budgets (1976). If this proposed annexation is delayed for any length of time, it could result in as much as 10% per year increase in the cost estimate.

An exception to this procedure will be made if State projects are involved or if Urban Funds or Arterial Road and Street Funds are used.

The following recommendations and estimates will be based upon the above policy.

a. Major Traffic Arteries

This classification of streets - like an artery in the human circulatory system - means life or death to a City moving goods and people on wheels. The need for improved lighting is easily demonstrated in reduced accidents and improved efficiency in the use of each costly traffic lane.

M400A Luminaire or equal

400 watt high pressure sodium lamp

Aluminum pole (breakway) 35' M.H.

Light Level 1.0 - 2.0 Horiz.ft.candle

Underground wiring

Spacing 100-150 feet.

<u>Street</u>	<u>No Poles</u>	<u>Unit Price</u>	<u>Costs</u>
Coldwater Rd.	19	\$ 1,110.00	\$21,090.00

A request was submitted to the Board of Works on November 16, 1976 to extend the Coldwater Road lighting to the intersection of the Cook Road by Ken Traylor, Street Engineer. Northrup High School, as well as the subdivision on the east side of Coldwater Road has generated considerable activities which makes this additional lighting necessary. This project, if approved, will probably be funded with Urban Funds or Arterial Road and Street Funds.

- b. Secondary Traffic Streets (Design Group "E")
These are often called "Collector" streets feeding from local residential areas to main arteries.

M250 A Luminaire or equal
150 watt high pressure sodium or 175 watt mercury lamp
Concrete or wood pole
Overhead wiring
Mounting height 28-30 ft.
Spacing 150-180 ft.
Light Level - 0.6 - 1.2 horiz. foot candle

Street	No. Poles	Unit Price	Costs
Ludwig Rd.	18	\$650.00	\$11,700.00
Racquet Dr.	18	650.00	11,700.00
Oakbrook Parkway	7	650.00	4,550.00
TOTAL	43		\$27,950.00

This design group lighting would be funded by the City of Fort Wayne.

c. Residential Streets

- (1) General Residential - Standard Lighting (Design Group "G")

M250 A Luminaire or equal
150 watt high pressure sodium or 175 watt DX mercury lamp
Concrete or wood poles, overhead wiring
Spacing 180-200 feet
Mounting height - 25 ft.
Light level - .4 horiz. foot candle

Street	No. Poles	Unit Price	Costs
Sumner Drive	4	\$650.00	\$2,600.00
Ludwig Circle	8	650.00	5,200.00
TOTAL	12		\$7,800.00

This lighting would be funded by the City of Fort Wayne.

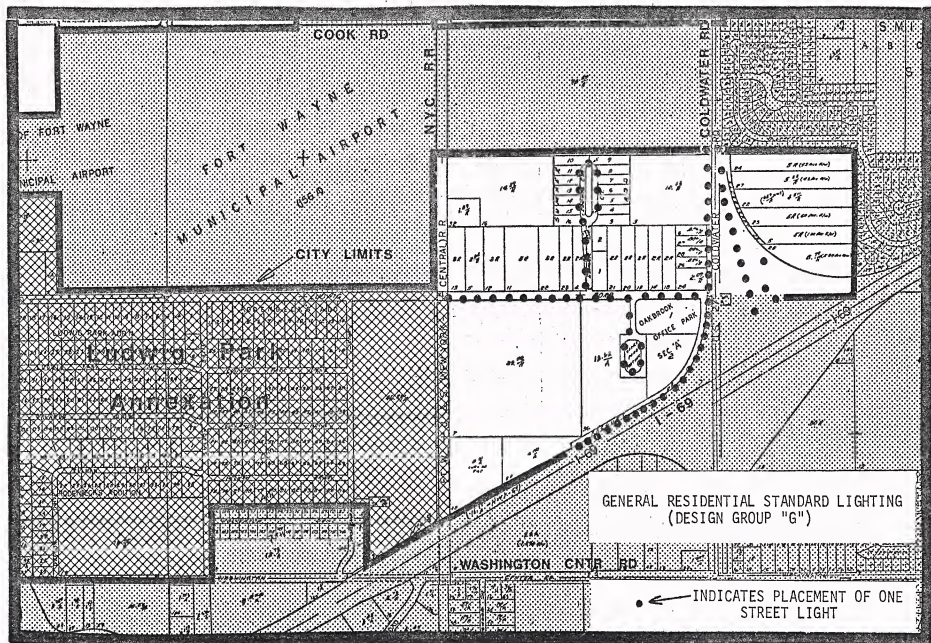
Refer to MII for map of General Residential Standard lighting (Design Group "G") on page 6.

- (2) Class "A" Residential (Design Group "H")

Post Top Luminaire - TC 100Z, PMA 116, etc. (ornamental)
100 watt high pressure sodium
post-tapered aluminum
Mounting height - 14 ft.
Underground wiring
Spacing - 100-120 feet
Light Level 0.4 - 0.5 horiz. foot candles

Street	No. Poles	Unit Price	Costs
Sumner Drive	6	\$710.00	\$4,260.00
Ludwig Circle	9	710.00	6,390.00
TOTAL	15		\$10,650.00

MAP II



The difference in cost of the Class "A" residential (Design Group "H") and the General Residential (Design Group "G") would be funded by assessment of the property owners.

Example:

"Class 'A' " Residential (Ornamental)	310,650.00
General Residential (Standard Lighting)	<u>7,800.00</u>
Property Owners' Cost	\$ 2,850.00

d. Developers

An ordinance amending the Municipal Code of the City of Fort Wayne, Indiana, was adopted in 1946.* (Bill No. G-59-08-07) General Ordinance No. G-40: By adding thereto a new Chapter 28A adopting provisions for Subdivision Control and the approval of plats and replats within the area over which the Fort Wayne City Plan Commission has jurisdiction. This Subdivision Control Ordinance requires that Street Lighting shall be provided in all new residential, apartment, commercial and industrial subdivisions by the developer. The design, material and installation shall meet the minimum requirements and specifications adopted by the Board of Public Works and on file therein.

There is undeveloped and unplanned land within the proposed annexation areas. When this land is developed, it will be the developers obligation to install the street lighting system. The plans and estimates in this report do not include undeveloped areas.

Good streets, curbs and sidewalks as well as adequate lighting are essential.

Historically, construction and maintenance have been the responsibility of the property owner. However, the rising construction costs of the last decade have made this responsibility a real hardship for the average citizen. To construct these totally with local tax dollars is an impossibility.

e. Policy

In an effort to lift part of this burden and to make policies that will treat all people in all neighborhoods fairly, the Administration adopted a Public Works Policy, Resolution No. 63-195-20 on July 14, 1976. Pertaining to Street Lighting this policy is as follows:

1. Single alley and street lights with wooden or cement poles and overhead wiring (no more than three (3) to a block), total cost to the City.

2. Ornamental Lighting

The Street Light Engineering Department will make an estimate of the cost of a petitioned ornamental lighting project. They will also estimate what the cost would be if done with regular lighting (wooden - cement poles). The City will pay the portion of the project that it would cost if done with regular lighting and the property owner will pay the difference. On recent ornamental lighting projects that difference (property owner's share) has average between .018 cents and .020 cents per square foot of property. For example:

*Municipal Code of the City of Fort Wayne, IN.
Subdivision Control Ordinance

A lot 50' x 100' = 5000 sq.ft. x .018 = \$90.00

50' x 100' = 5000 sq.ft. x .020 = \$100.00

If a property owner's assessment amounts to over \$100.00, they may elect to pay for it through the Barrett Law System which allows them to pay 10% per year over a ten year period at 6% simple interest. The property must be inside the City of Fort Wayne City Limits.

The existing street lights in Oakbrook Park & Ludwig Park consists of a few scattered security lights rented from Indiana and Michigan Electric Company at a cost of \$5.00-\$7.00 per month, paid for by the property owners who ordered them installed. Allen County does not install or fund the maintenance or energy costs for street lighting in suburban Allen County. If the proposed areas are annexed, the City of Fort Wayne will pay 100% of the operating costs.

The cost of providing street lighting service to any community can be broken down into three basic elements:

1. Capital Cost (equipment, installation, labor, engineering, etc.)
2. Maintenance and Operation (cleaning, repair, re-lamping, etc.)
3. Electric Energy (charged by electric utility in ¢/KWHR.)

These costs are inherently present and must be paid by some agency doing the work involved, whether or not they are reimbursed - i.e., there is no such thing as "free street lighting".

Taking the basic cost elements in reverse order these remarks pertaining to each are offered -

3. Electric energy - The City of Fort Wayne has a good street lighting rate with I&M. However, fuel costs, construction, and interest charges are all going up. Selecting light sources which conserve energy is not "patriotic", it is good economics - and getting better. Energy cost is funded through the tax rate. The present rate is .0135¢/KWHR.
2. Maintenance and Operation - is performed by maintenance crews contracted by a contractor through the bid procedure. It is funded by City Light Utility.
1. Capital Costs - Construction and Installation - The prevailing business climate and the trends in government - favor municipalities purchasing and installing their own lighting systems today. As stated earlier, obtaining Capital Funds is relatively easier than covering higher operating costs from over-strained general revenue sources.

Following are some of the methods of paying the capital cost associated with Street Lighting.

1. General Fund sources, Lighting Fund (Misc. Light Orders)
2. State and Federal Urban or Arterial Road and Street Funds (Major Traffic Arteries Only)
Revenue Sharing Funds are allocated annually into the Street Lighting Fund.
3. Contributions or Assessments - By benefiting property owners who desire higher light levels (such as commercial districts) ornamental or underground wiring, etc., that would result in an installation that is above basic levels or City of Fort Wayne's standard installations.

The maximum total capital cost to the City of Fort Wayne to adequately light the proposed Oakbrook Park Annexation Area assuming that there is no Urban, Arterial Road and Street Funds or Property Owner participation would be as follows:

Major Traffic Arteries	\$21,090.00
Secondary Traffic Streets	27,950.00
Residential Streets (Standard Lighting)	<u>7,800.00</u>
TOTAL	56,840.00

In determining the per year operating cost, we have separated maintenance and energy costs as follows:

	No. Poles	Unit Cost	Total
Maintenance	74	8.67	\$641.58-City Util
Energy	74	<u>13.33</u>	986.42-City Civ.
TOTAL		\$22.00	\$1,628.00-Per Year

2. Streets and Roads

The Street Engineering Department will provide engineering services and construction supervision of all streets, alleys, and sidewalks to be constructed within the proposed annexation area. The number of new miles of street added to the present street system and their conditions are listed by classification.

<u>Types Of Streets</u>	<u>Condition</u>
0.25 miles Arterial	Good
0.5 miles Collector	Fair
.58 miles Residential	Good
.6 miles Residential	Fair

The Street Engineering Department performs work in accordance with specific directions from the Board of Works and/or by petitions from the property owners within the City Limits of Fort Wayne; one engineering personnel is required. Since the Oakbrook Park area is adding less than two miles total, no additional personnel or engineering equipment are required to service this area.

The estimated cost to improve all streets within this area to meet City standards and specifications are listed below:

Classification

Arterial Streets (.25 miles)	none required
Collector Streets (.5 miles)	\$330,000.00- Constr. \$ 33,000.00 Engr.
Residential Sts. (1.18 miles)	316,800.00 Constr. (sts. & sidewalks) <u>31,680.00-Engr.</u>
TOTAL	\$711,480.00

The source of funding to provide the street improvements would be obtained from property owners participation, City participation from M.V.H. or Revenue Funds; arterial street improvements would be funded from Federal Aid Urban monies and/or Arterial Road and Street Account monies.

3. Park

The Park Department will not be directly servicing the Oakbrook Park area. There are no physical Park improvements proposed. Private recreation facilities include the Racquet Club and Gunnar Elliot Ice Arena. Public facilities include Northrup High School's open space and facilities. Until such time as curbs and sidewalks are installed, there would be no planting of street trees.

4. Miscellaneous

Other services provided by the City through the Board of Works are listed below with their costs.

<u>Account Name</u>	<u>Cost</u>
Street Sweeping	334.51 per mi. per yr.
St. Surface Maint.	383.70 per mi. per yr.
Mowing	103.10 per mi. per yr.
Leaf Pick-up	98.59 per mi. per yr.
Snow/Ice Removed	253.73 per mi. per yr.
TOTAL COSTS	1173.63 X 1.93 = 2265.11

* = the total number of miles in the Oakbrook Park Annexation

Therefore, the total cost of the above services are \$2,265.11 per year for the Oakbrook Park area.

FORT WAYNE UTILITIES

The Water and Water Pollution Control Departments' service costs are dependent upon user charges such as monthly bills and tap fees. The utility services are not funded through Civil City property taxes.

A. WATER

A water facilities report has been prepared by Donald Foland, Chief Water Engineer, for the Oakbrook Park annexation. The report explains the services to be provided by Fort Wayne Water Utility, its relationship to Master Water Plan, scheduled capital improvements, funding of water main installation, legal processes and rules, water distribution capital improvement costs, fire hydrant data, and water rates versus annexation. Map III is an attached map of city water facilities in the Oakbrook Park annexation area. The report also contains another Exhibit, which explains the general rules and regulations of the Fort Wayne Water Utility. Exhibit II has been omitted from this section, but is available for review upon request. This section on water services includes portions of the total water facilities report.

A substantial portion of this area is already served with City water through mains constructed since 1967. These mains, along with their respective sizes and approximate locations of existing fire hydrants are shown on the attachment marked Map III.

As you can see, no additional service will be required for a major portion of the area. There are presently a total of 10 residential customers, plus the G.T.E. Data Center located on Oakbrook Parkway.

In addition to the existing customers of the Fort Wayne Water Utility, there are additional residences within the area under consideration for annexation, plus 2 commercial establishments also within the area. These additional customers can be served either directly from the existing water mains (if their property is adjacent to such existing mains) or by the extension of additional water mains from existing distribution and/or feeder mains within the area to their property.

The Fort Wayne Water Utility already has under consideration the construction of a 24" feeder main designated as the "Paramount-Washington Center Road Feeder Main" for which plans are already completed. The estimated cost of this project is \$263,615.00 and this department has requested Federal Aid to finance its construction. As soon as a determination is finalized as to the method of financing, we are prepared to solicit bids and proceed with its installation. This main is the one shown by on Map III.

With regard to other capital improvements within or adjacent to this annexation area, specific scheduling has not yet been established. However, we are prepared to proceed with plans, specifications, bidding, and construction on any portion or all of the additional feeder mains shown by _____ on Map III, as the demand for their need becomes apparent.

An overall 5-year plan and schedule for Feeder Main Capital Improvements is being reviewed and should be finalized late in 1977.

Distribution mains to be constructed within this annexation area, or any other area, are scheduled as their need is apparent and property owners submit petitions for their installation. Therefore, no specific scheduling of distribution main construction is made for any given area. The proposed distribution mains have been shown by ----- on Map III and are those needed to provide service to the balance of the platted streets within this annexation area. These mains, along with other distribution mains which may be needed in areas not yet platted, will be considered for construction and will be installed as the property owners adjacent to them petition for their respective installations, and as the method of funding can be established.

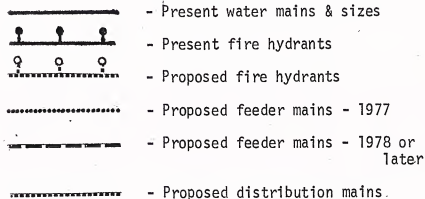
The funding of installation costs of water distribution and feeder mains is accomplished in three manners, based upon the circumstances of their installation. These methods of financing are as follows:

(1) Funding for the cost of constructing feeder mains is generally through cash reserves of the Utility or the sale of revenue bonds, after such bond sale is approved by the Public Service Commission of Indiana. Specific determination of which of these alternates is to be utilized is based upon estimated construction cost data provided by the Utility's Engineering Department and financial capabilities data provided by the Utility's Accounting Department, and then an administrative decision is made based upon the input of the two departments. In any event, the basic funding is through the availability of Utility cash, derived from one or both of the above sources. In addition, there is the possibility of federal fund-

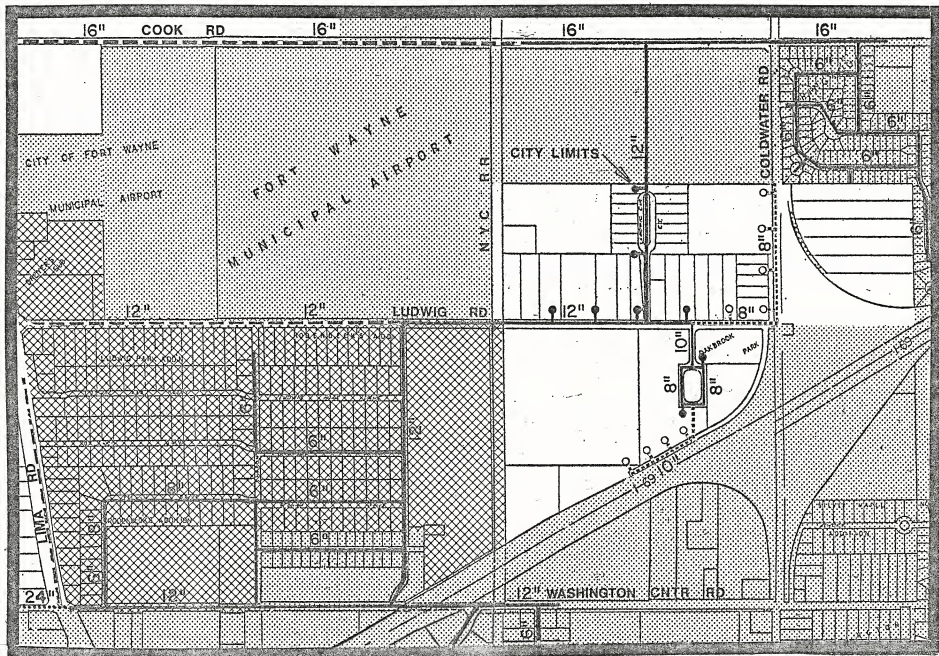
ing of portions or all of the construction costs, if such federal funds are available. To date, no such funds have been utilized due to the complexities and restrictions on such federal funds, as relates to water utility construction.

(2) Approximately 4 years ago, a review of state statutes indicated a bonding procedure may be utilized to assist property owners in paying the cost of constructing distribution mains, adjacent to their respective properties. That procedure has been implemented in many cases, whereupon the respective property owners benefiting from a project are required to pay the cost of such mains required to serve them, and to spread this cost over a 10 year period. This procedure is established through the Land Improvement Act, similar

KEY TO MAP III



6.1



to the Barrett Law bonding procedure presently used for street, sidewalk, and alley pavements and sewer construction. Under the bonding method of financing, a petition must be submitted to the Board of Public Works and engineering estimates and plans are prepared, and bids received for a given project. 55% of the property owners benefiting must petition for a project under this method. If a like percentage of property owners is in agreement with the construction, after notification of the cost, and if the bids received are equal to or less than the engineer's estimate, then the project proceeds. Upon completion and establishment of a final cost for the project (including service connection taps) an assessment roll is prepared. A public hearing is held to hear complaints regarding the construction and final costs. The assessment roll is then adjusted and/or approved, and the property owners have the option of paying cash or bond their share over a period of 10 years.

(3) The most common method financing the cost of constructing distribution mains is on a cash basis, paid by property owners directly benefiting from the installation of the water main, and who are willing to initially finance its cost. Through this method, developers and/or property owners desiring service make application, and/or petition, to the Board of Public Works for construction of the necessary water main(s) to serve their respective properties. They are required to finance the initial construction costs. A recorded contract requires others to pay their respective share of the initial construction costs if they desire service within fifteen (15) years. Such shares are

then collected by the Utility and paid back to the initial parties financing the main.

Under all procedures cited above, it has been the practice that the property owners must finance the cost of water mains necessary to serve their properties. If, due to Master Plan or other desires of the Utility, a main is installed larger than that required by the property owner, then the cost of oversizing (cost differential between size main required versus size main desired by Utility for overall area use) is generally financed by the Utility. The basic main extension policy of the Utility is covered in Rule #25 of the Utility's General Rules & Regulations. A copy of the pertinent portions of those General Rules and Regulations are in the files of Community Development and Planning.

Map III shows the existing water facilities by _____, feeder mains proposed for construction in 1977 by _____, other feeder mains tentatively scheduled in 1978 and later by _____, and the remaining distribution mains to be constructed on platted streets within the annexation area shown by _____. The feeder main scheduled for construction in 1977, and shown by _____, consists of approximately 4200 feet of 24" main and is estimated to cost approximately \$263,615.00. Those other feeder mains proposed for construction in 1978 and later, shown by _____, consist of 5215± feet of 24", 5545± feet of 16" and 3700± feet of 12" mains, and are estimated to cost \$421,500 (today's price). The distribution mains proposed for platted streets within this annexation area, shown by _____, consist of

1700± feet of 10" and 1850± feet of 8" water main and is estimated to cost \$69,500.00 (today's price).

The water rates of the Fort Wayne Water Utility, as established and approved by the Indiana Public Service Commission includes a surcharge of 35% which is added to the base rate of all customers receiving water service from our system at properties located outside the City Limits. As a result, the property owners presently served with City water in this annexation area will experience a reduction of approximately 35% in their water bills when this area is annexed. As a result of this reduction, the Utility will lose a like amount of revenue. Based on the number of current customers within this area, the annual reduction in revenues which the Utility will experience will be approximately \$590.00.

As established also in the rates of the Utility, as approved by the Public Service Commission of Indiana, the Civil City of the City of Fort Wayne pays to the Water Utility \$115.64 per fire hydrant located in the City for water utilized from the fire hydrants. There are presently 8 fire hydrants located within this annexation area. As a result and upon annexation, the Civil City will commence paying to the Utility \$925.12 per year for those fire hydrants. As additional fire hydrants are installed within the area after annexation, the Utility will bill the Civil City an additional \$115.64 per fire hydrant per year for each fire hydrant so added to the system within this area. Fire hydrants will be installed as distribution mains are petitioned for by property owners.

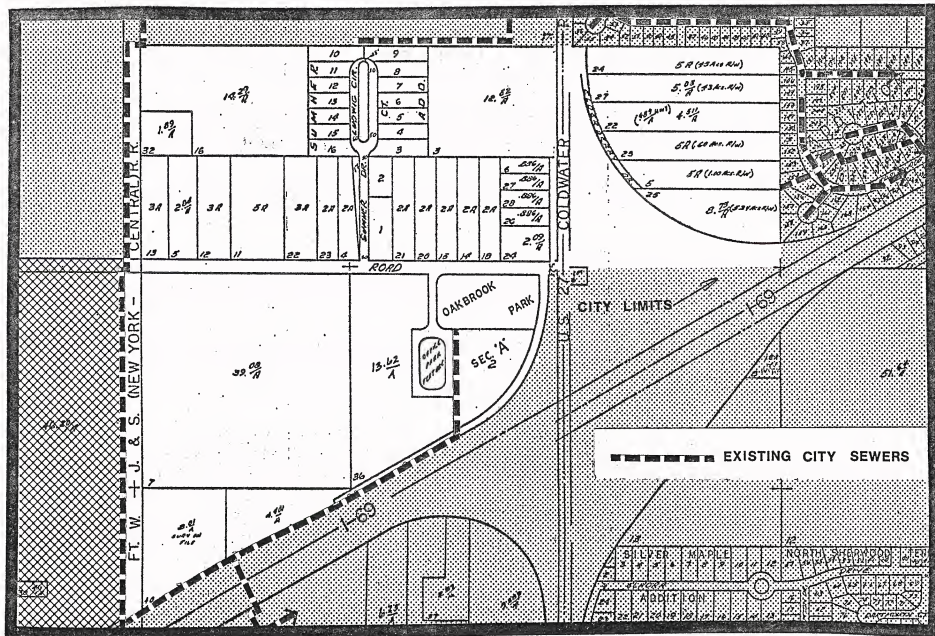
B. SEWERS

The Oakbrook Park Annexation area has been outlined by Map IV. The only sewer service the City extends to the annexation area is to the Oakbrook Office Park located in the southern portion of the area. The City does provide service to the areas surrounding Oakbrook Park as indicated in Map IV. The City maintains a sanitary sewer system in the Springwood Addition to the north and east of the annexation area and in the Cambridge Square Addition to the south of the annexation area. The City provides service to Northrup High School to the North of the area and an interceptor sewer line is located along the west boundary of the annexation area.

The annexation area is positioned between the Spy Run Interceptor shed area and the St. Joseph Interceptor shed area. The annexation area was addressed in the "Master Plan for Sewers - Part 2" but, due to a lack of a pattern for future land development for this particular area, no meaningful master planning for sewers was presented. The available reserve capacity of the Spy Run and St. Joseph Interceptor systems will allow the annexation area to be tied into either system.

Since the City does not have any proposed or scheduled capital improvements for this area, the residents will be required to petition for a sewage collection system once the area is annexed into the City. This petition must be submitted to the Fort Wayne Board of Public Works which will instruct its Water Pollution Control Engineering Department to investigate a sewer system for the area. Based upon a favorable report from the Water Pollution Control

MAP IV



Engineering Department, they will then be instructed to prepare the sewer design, hold public hearings, prepare assessment rolls and prepare the necessary bid documents and contracts.

This process normally takes approximately one year with another six to nine months required for the construction of the petitioned sewage collection system itself and the acceptance of the system into the City's sewage system for maintenance and operation.

The financing of any petition which includes both the engineering services cost and the construction cost is provided for totally by the legal landowners of the annexation area as outlined in the Indiana Statute for a Barrett Law Public Improvement. The assessment to each homeowner must be either paid in one single payment or paid over a ten-year period in annual installments at a 6% annual interest rate. The homeowner may obtain financing for the single payment by means of a home improvement loan. Such a loan is not normally considered a second mortgage to the property of the homeowner.

Presently, the City has in effect a user's charge system for both a homeowner who lives in the City and for a homeowner who lives outside the City. Under this system, the average sewage charge for a homeowner living in the City is approximately \$2.58 per month. Those homeowners who live outside the City and are being served by a City sewer system can expect to pay an average sewage charge of \$5.16 per month.

The City of Fort Wayne is presently developing, in accordance with the guidelines of the U.S. Environmental Protection Agency, a new user's charge system will still have in effect a rate for both in and out-of-the-City homeowners.

REFERENCES

"Waste Treatment Cost Recovery Report", Fort Wayne Water Pollution Control Utility, March 15, 1976.

"Master Plan for Sewers - Part 2", prepared by Henry B. Steeg and Associates for the City of Fort Wayne, November 1970.

"Burns Statutes for Indiana - Barrett Law Financing"

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FINANCIAL SUMMARY

A. REVENUE

The assessed valuation for the Oakbrook Park area was determined by obtaining the assessed valuation of each piece of property from the Real Property Master File Status and the Washington Township Assessor's Office. The land and real estate values for the total annexation area is \$590,940. Since each residential property owner is eligible for a \$1,000 mortgage exemption and there are 37 dwelling units, \$37,000 is deducted from the \$590,940 assessed valuation. Thus \$553,940 is the amount which determines the revenues derived from the City Taxes. The official City tax rate for 1977 is \$3.702 per \$100 of the assessed valuation. Therefore, the City would receive \$20,506 from the assessed values of the Oakbrook Park area.

The City tax rate of \$3.702 is composed of \$3.59, the frozen tax rate, plus .08¢ for Street Bond Retirement and .032¢ for Redevelopment District Bond Fund. The \$3.59 frozen tax rate is distributed accordingly:

Fund	Tax Rate	Money Appropriated(1977)
General	2.634	14,590.20
Street Lighting	0	-
Sewer Relief	0	-
Fine Arts	.007	38.77
Fire Pension Fund	.199	1,102.30
Police Pension Fund	.207	1,146.60
Sanitary Officers Pension	.013	72.00
Park General	.519	2,874.83
Redevelopment General	.011	60.90
Frozen Tax Rate	\$3.59	-
St. Bond Retirement	.08	443.10
Redev.Dist. Bond Fund	.032	177.30
Civil City Tax Rate	\$3.702	20,506.00

There is another source of revenue for the City based upon population. The three sources are the Motor Vehicle Highway Tax, Alcoholic Beverage Gallonage Tax, and the Cigarette Tax. These tax revenues are distributed on the basis of the last preceding U.S. Census. The Cigarette Tax will not change until the new census. The Table below gives an estimate of the monies to be received.

	Jan. 1 - Dec. 31 1977	Oakbrook Park Pop.	Total
MVH	\$9.74/CAP	130	1,266.20
Alcoholic Gallonage	\$1.62/CAP	130	210.60
Cigarette	\$5.86/CAP	130	761.90
			<u>\$2,238.60</u>

B. EXPENDITURES

<u>Essential Services</u>	<u>Capital</u>	<u>Operating</u>
Police	-	5,708.91
Fire	-	228.00
EMS	-	310.88
Solid Waste	-	1,290.93
Traffic Control	2,250	934.00
Sub-Total	<u>\$2,250</u>	<u>\$8,472.72</u>
TOTAL		<u>\$10,722.72</u>

<u>Other Municipal Services</u>	<u>Capital</u>	<u>Operating</u>
Street Light (upon Petition)	\$ 56,840	\$ 1,628
Streets & Roads	\$711,480	-
Miscellaneous	-	\$2,265
	<u>\$768,320</u>	<u>3,893</u>
Sub-Total		\$772,213
GRAND TOTAL		\$782,935

<u>Money Appropriated (1977)</u>	<u>Tax Rate</u>	<u>Amount</u>
Fine Arts	.007	38.77
Fire Pension Fund	.199	1,102.30
Police Pension Fund	.207	1,146.60
Sanitary Officers Pension	.013	72.00
Park General	.519	2,874.83
Redevelopment General	.011	60.90
Street Bond Retirement	.08	443.10
Redevelopment District Bond Fund	.032	177.30
TOTAL	<u>1.068</u>	<u>5,915.80</u>

The expenditures for this area have been broken down into three categories, Essential Services, Other Municipal Services and Money Appropriated (1977). Essential Services are those services which relate to the health and safety of the people living in a given area and must, by State Law, be provided within three years after the area is annexed. Essential services can be considered minimum costs. Other Municipal Services are those which are not critical nor will their absence present any problem to the health, safety, or welfare of the residents. Other Municipal Services can be considered as maximum costs. The Money Appropriated category is revenue money specifically appropriated for the various funds. The General Fund was deleted from the Money Appropriated category because the money it receives covers various City activities' expenses, where the other funds are for a specific purpose. For example, there are municipal administrative costs, besides services such as street lighting or police protection, that the General Fund supports. These costs include such things as the Mayors' Office, City Council, City Clerk, Board of Public Works and City Controller.

C. FIVE YEAR SUMMARY

Year	Expenditures*	Money*** Appropriated	Revenue	Annual Income
1	\$ 1,290	-	-	-(1,290)
2	10,722	\$5,915	\$20,506	3,869
3	9,039	5,915	20,506	5,552
4	9,644	5,915	20,506	4,947
5	10,290	5,915	20,506	4,301
	<u>\$40,985</u>	<u>\$23,660</u>	<u>\$82,024</u>	<u>\$17,379</u>

* Expenditures are the costs of essential services on a yearly basis, plus an inflationary figure of 6.7%.

** The second year's expenses of \$10,722 are comprised of \$8,472 in operating expenses and \$2,250 in capital expenses. The inflationary figure of 6.7% times \$8,472 (operating expenses) determined the second year's expenses.

*** The General Fund is excluded and it is assumed that the tax rate will remain the same in the next four years.

The City of Fort Wayne will have \$1,290 (solid waste) in expenditures with no money appropriated. Taxes (revenue) are then payable the following year with City services available to the residents of the area in the first year. However, the request for additional appropriations needed by this annexation will be made during the first year of annexation with the adjustments in services being made in the second year. After the first year, the City would receive \$20,506 in revenue giving the City an annual income for this area. At the end of five (5) years, the income would more than offset the first year deficit for a gain of \$17,379.

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SUMMARY AND RECOMMENDATION

A. INDIANA ANNEXATION STATUTES

In order for the City to successfully annex an area it must meet the criteria for annexation as established by the Indiana Statutes. The Statutes state that:

1. The area proposed for annexation must have at least one eighth (1/8) or 12% of its aggregate external boundaries coincide with the boundaries of the annexing City:

The Oakbrook Park area is 75% contiguous to the existing corporate limits by its north, east, and south boundaries.

2.

- a. The resident population of the area sought to be annexed is equal to at least three (3) persons for each acre of land included within its boundaries or
- b. That the land is zoned for commercial, business or industrial uses or
- c. That sixty percent (60%) of the land therein is subdivided or
- d. The area is needed and can be used by the City for its future development in the reasonably near future:

The Oakbrook Park area is 75% surrounded by the corporate boundaries and it would be a natural extension of the City Limits (discussed

in the Introduction). The area is presently 45% undeveloped and further development in this area would follow the adjacent growth strategy. Since the adjacent growth strategy encourages development of vacant areas contiguous to Fort Wayne, the Oakbrook Park area is ideal for the future development of Fort Wayne. In summary, the City Plan Commission's adoption of the adjacent growth strategy and the boundaries of the Oakbrook Park area being 75% contiguous to the City makes the area a prime target for the necessary growth of Fort Wayne.

3. The City has developed a fiscal plan to furnish the territory, within a period of three (3) years, governmental and proprietary services:

The essential services which will be provided immediately upon annexation are police, fire, emergency medical services, solid waste collection, and traffic control. Other municipal services will be provided upon petition or need and availability of money to pay for the services. The City service departments' fiscal plans are presented in Section II of this ordinance. The Utility's services are extended to property owners who submit petitions for the installation of the utility. The property owner assumes the total cost of utility services. The utilities are discussed along with their fiscal plans in Section III of this ordinance. The financial summary for annexing Oakbrook Park area is in Section V.

B. FORT WAYNE'S ANNEXATION POLICY

The Fort Wayne City Council has considered additional annexation criteria in addition to the Indiana Statutes.

1. The area proposals for annexation must have a unity of interest with the municipality:

The Oakbrook Park area contains recreational and commercial facilities that service the Fort Wayne area's residents. In addition, the area appears to be a natural extension of the City's growth since the area is 75% contiguous to the corporate limits.

2. The advantages to the proposed annexation must outweigh the disadvantages:

Businesses and residents of the area would experience an increase in taxes. This increase however, would be partially offset by the provision of municipal services to the area, some of which they already receive. Annexation is a benefit to the whole community in providing a more equitable tax system and enlargement of the tax base.

3. The advantages to the city must outweigh the disadvantages:

The City would continue to realize a normal active growth. All projections indicate that the Fort Wayne urbanized area is and will

continue to grow into the foreseeable future. This growth can only be accommodated by the provision of additional utility service and by improving present transportation facilities. To insure that proper planning of these additional services is done thoroughly and efficiently, annexation of the areas becomes necessary. The inequities of tax system for urbanites can only be cured by annexation under the present laws. City residents pay city and county taxes which help to support services to the growing urbanized county residents. Yet urban county residents do not pay City taxes to support the services that they are using. Therefore, annexation is a means for insuring that urbanites share equally in costs of urban services.

4. The deficit of income against expense to the city must not be unreasonable:

In annexing Oakbrook Park, the City would expect an annual income. The first five year annual income, revenue minus expenditures, totals \$17,379. This income may then be used to provide other municipal services as needed in the area and the City.

5. The City must desire to annex the area.

The Oakbrook Park area is bordered by the City on the north, east, and south; therefore, it appears to be a logical extension to the City. The area has the potential for absorbing needed adjacent growth of the City of Fort Wayne.

It is with careful thought and research that the

Department of Community Development and Planning recommends that this area be annexed into the City of Fort Wayne, as it meets the established criteria.

WHEREAS, the Common Council of the City of Fort Wayne, Indiana on May 10, 1977 referred a proposed annexation amendment to the Bill No. X-77-05-24; and,

WHEREAS, the City Plan Commission reviewed such proposed ordinance and fiscal plan on Sept. 26, 77;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that the advantages to the City would outweigh the disadvantages in that the City should continue to realize a normal, active growth from the stand point that normal development will take place around the City whether the City wants it or not. This annexation will be in the best interest of and a benefit to the area involved and of and to the city; and the annexation will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Commission proposes January 1, 1978 as the effective date for Bill NO. X-77-05-24;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held on Sept. 26, 1977

Joseph N. Adair
Joseph N. Adair
Secretary

Certified and signed this 28th day of Sept. 1977.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

September 28, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on the (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-77-08-16

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
28th day of September, 1977.

Joseph N. Adair
Secretary

16-11-77 MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

September 28, 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held September 26, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-77-08-16
2. From "B-4" and "RA" to "M-1"
3. Intended Use: Mini-Warehousing
4. Plan Commission Recommendation: DO PASS

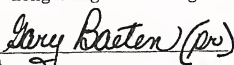
This ordinance received a DO PASS recommendation for the following reasons:

- a. The Site Committee feels that the use proposed is compatible with the area.
- b. The Committee also approves of the covenant submitted by the petitioner, with the consent of the surrounding property owners. We would strongly recommend that the covenant be recorded following final action, on this petition, by City Council.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning
and Zoning



Gary Baeten
Land Use Administrator

GFB/jg
ATT.



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 9, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-08-16, and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 19, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan:

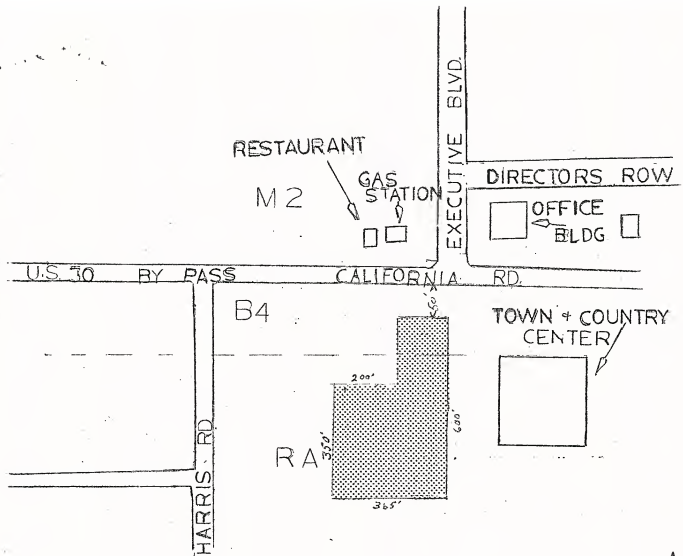
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 26, 1977.

Certified and signed this
28th day of September, 1977.



Joseph N. Adair
Secretary



REZONE FROM B4 & RA TO MI

MAP NO CC13

BY

MFC

7-25-77

2-77-08-14



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

September 28, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-77-08-15

Respectfully submitted

CITY PLAN COMMISSION

Certified and signed this
28th day of September, 1977.

Joseph N. Adair

Joseph N. Adair
Secretary

MADE A MATTER OF RECORD

FILED 10-11-77





THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

September 28, 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held September 26, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved:

1. Bill No. Z-77-08-15
2. From "R1" to "M1"
3. Intended Use: Construction of a new building to be used for a display room for tools and machinery / storage room and warehousing for machinery / light usage of repair of tools and machinery.
4. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reasons:

- a. The present zoning in this block is "R1"
- b. This block contains many substantial homes that could adversely be affected by the request.

If there are any questions with regard to this ordinance. please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Gary Baeten (pr)

Gary F. Baeten
Land Use Administrator

GFB:pr
ATT.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 9, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-08-15; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

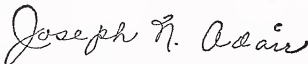
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 19, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to the conflicts with the overall City Plan; and,

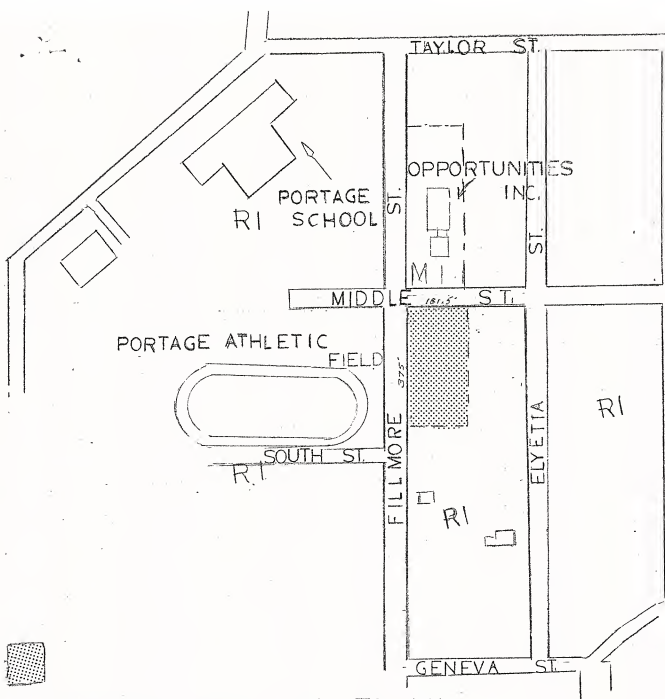
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 26, 1977.

Certified and signed this
28th day of Sept, 1977.



Joseph N. Adair
Secretary



REZONE FROM RI TO MI

MAP NO. EE 2

BY M.F.C.

8-1-77

N

2-77-08-15



THE CITY OF FORT WAYNE

October 3, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-77-08-14

Respectfully submitted,
CITY PLAN COMMISSION

Certified and signed this
3rd day of October, 1977.

Joseph N. Adair
Secretary

MADE A MATTER OF RECORD
DATE 10-11-77 CHARLES W. WESTERMAN, CITY CLERK





THE CITY OF FORT WAYNE

October 3, 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held September 26, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

1. Bill No. Z-77-08-14
2. From "R1" to "B1B"
3. Intended Use: Mike's Car Wash
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reasons:

- a. This use will be buffered from the residential by Fire Station # 13 which is located along the north side of the property.
- b. The Commission feels that the fire station is the logical place to stop the commercial development along Anthony between Paulding and Pettit.
- c. The Commission further recommends to the petitioner and Traffic Engineering Department that the ingress and egress to this property be designed to discourage the left turn movement of traffic.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Gary F. Baeten (pr)

Gary F. Baeten
Land Use Administrator

GFB:pr

ATT.



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 9, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-08-14; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

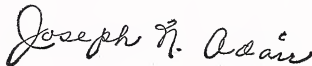
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 19, 1977.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

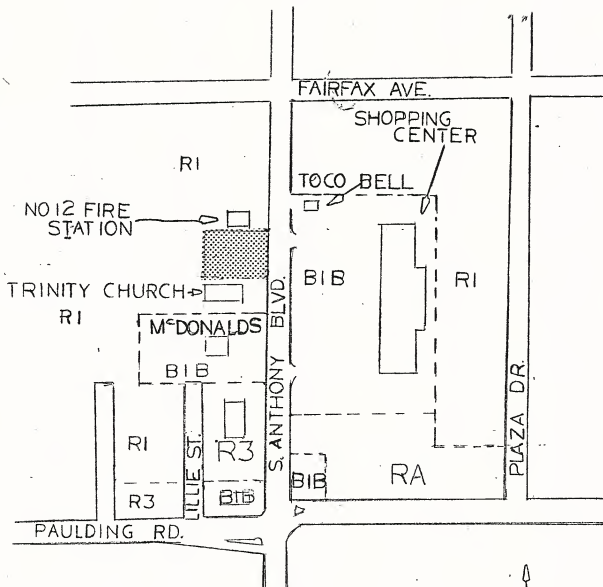
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 26, 1977.

Certified and signed this
3rd day of October, 1977.



Joseph N. Adair
Secretary



REZONE FROM RI TO BIB
MAP NO CIO-D10

BY MFC

8-16-77

2-77-08-14



THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

October 3, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the City
of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and MRs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-77-08-17

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
3rd day of October, 1977.

Joseph N. Adair
Secretary

10-11-77
MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

October 1, 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning Ordinance amendment acted upon by the City Plan Commission at their regular meeting held September 26, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-77-08-17
2. From "R1" to "R3"
3. Intended Use: Robert Rayl Associates (Real Estate Office)
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reasons:

- a. The property at this location can no longer be considered reasonable for single family usage because of the existing high traffic volumes on U. S. # 24.
- b. The Plan Commission would recommend to the petitioner that considerations be given to a common access to be shared by the property and the property adjacent, which is to be utilized by Benchmark Homes.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Gary Baeten (pr)

Gary F. Baeten
Land Use Administrator

GFB:Pr

ATT.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 9, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-08-17; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 19, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City plan;

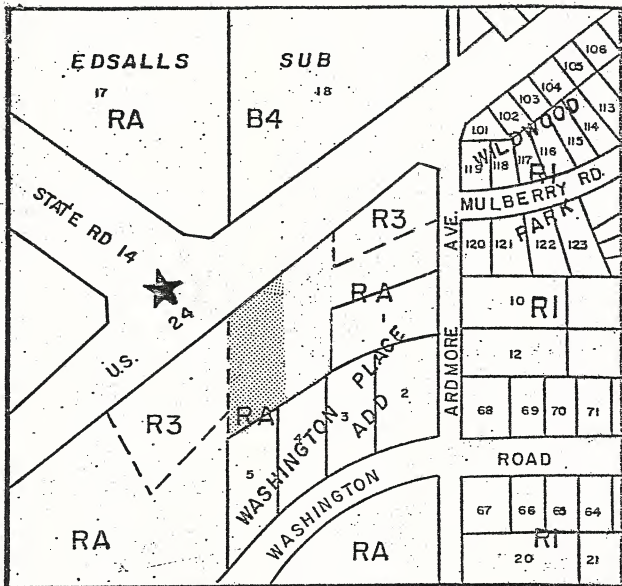
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 26, 1977.

Certified and signed this
3rd day of October, 1977.

Joseph N. Adair

Joseph N. Adair
Secretary



REZONE FROM RI TO R3

MAP NO FFI

2-77-08-17



THE CITY OF FORT WAYNE

October 4, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-77-08-33

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
4th day of October, 1977.

Joseph N. Adair

Joseph N. Adair
Secretary

10-11-77 MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK





THE CITY OF FORT WAYNE

October 4, 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held September 26, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-77-08-33
2. From "R3" to "M2"
3. Intended Use: Tool Designing Operation
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. The "M2" District will allow a logical re-use of the property.

If there are any questions with regard to this ordinance, please feel free to call on us.

NOTE: Due to a legal error in the ordinance, Bill No. Z-77-03-17 is to be repleaded by the City Council. This ordinance was re-submitted to replace Bill No. Z-77-03-17.

Respectfully submitted,

CITY PLAN COMMISSION

Gary Baeten (pr)

Gary F. Baeten
Land Use Administrator

GFB:Pr
ATT.



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 23, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as: Bill No. Z-77-08-33; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

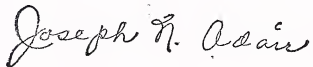
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 19, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

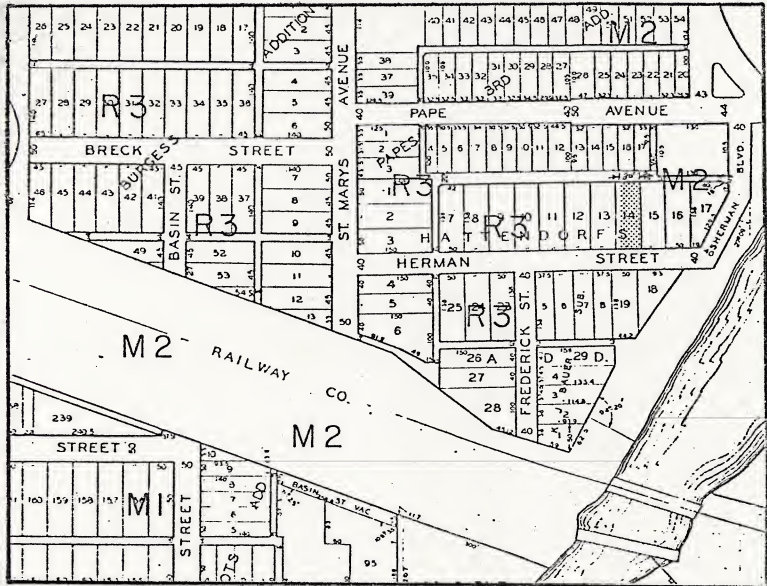
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 26, 1977.

Certified and signed this
4th day of October, 1977.



Joseph N. Adair
Secretary



To be changed from R3 to M2

CASE NO.

DATE 2-3-77

PAGE BB-3

2-77-08-33



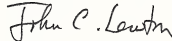
President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board
of Public Safety Regulatory Resolution Number: 55/77/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully submitted,



John C. Lewton,
Executive Secretary
Board of Public Safety

10-16-77
MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

REGULATORY RESOLUTION NO. 55/77/E

(Adopted September 29, 19 77.)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with re-
RENEW & EXTEND RESOLUTIONS: 37/77/E, 38/77/E, 39/77/E
gard to NO PARKING (EMERGENCY) Reg. Res. 37/77/E

SPEED LIMIT 35 MPH (EMERGENCY) - Reg. Res. 38/77/E

30 MINUTE PARKING 8:00 AM to 6:00 PM (EMERGENCY)
Reg. Res. 39/77/E

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 28, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective September 29,

19 77, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

NO PARKING (EMERGENCY)
Fairfield Ave -- west side -- from Wayne St. to Washington Blvd.

SPEED LIMIT 35 MPH (EMERGENCY)
Spy Run Ave. Extended -- from -- Clinton St. to Parnell Ave.

30 MINUTE PARKING 8:00 AM to 6:00 PM (EMERGENCY)
Wallace St. -- north side -- from 150 ft. east of Lafayette St. to 65 ft. east thereof.

RETURN CERTIFICATE

(Regulatory Resolution No. 55/77/E)

I hereby certify that I did this 29th day of September, 1977 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 55/77/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

John C. Lewton

EXECUTIVE SECRETARY

President fo the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Number 56/77/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully submitted,



John C. Lewton,
Executive Secretary
Board of Public Safety

16-11-77
DATE _____ MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

REGULATORY RESOLUTION NO. 56/77/E

(Adopted October 4, 19 77)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RESOLUTION 41/77/E :

STOP INTERSECTION (EMERGENCY: NO PARKING (EMERGENCY):

SPEED LIMIT 40 MPH (EMERGENCY); and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated October 4, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective October 4,

19 77, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Columbia Ave. -- stop -- for Kensington Blvd.

NO PARKING (EMERGENCY)

Rudisill Blvd. -- both sides -- Weisser Park Ave. to Anthony Blvd.

SPEED LIMIT 40 MPH (EMERGENCY)

Old Illinois Rd -- from Jefferson Blvd. to Illinois Rd.
(Old State Route 14)

RETURN CERTIFICATE

(Regulatory Resolution No. 56/77/E)

I hereby certify that I did this 4th day of October, 19 77 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 56/77/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

John C. Lewton

EXECUTIVE SECRETARY

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Number: 57/77/E.

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "William L. Kerr, Sr.", is written over the typed name.

William L. Kerr., Sr.
Acting Chairman
Board of Public Safety

REGULATORY RESOLUTION NO. 57/77/E

(Adopted October 12, 19 77)

WHEREAS, Section ¹⁷⁻⁴(a) (3), Chapter 17, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to Renew & Extend Regulatory Resolution 42/77/E;

STOP INTERSECTION (EMERGENCY)

_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated October 10, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section ¹⁷⁻⁴(a) (3) of Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective October 12,

19 77, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

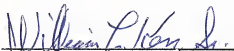
STOP INTERSECTION (EMERGENCY)

West Lafayette Esplanade	-- stop --	for Congress Ave.
Congress Ave.	-- stop --	for East Lafayette Esplanade
Sherwood Terrace	-- stop --	for West Lafayette Esplanade
East Lafayette Esplanade	-- stop --	for Sherwood Terrace
West Lafayette Esplanade	-- stop --	for Fleming Ave.
Fleming Ave.	-- stop --	for East Lafayette Esplanade
Calumet Ave.	-- stop --	for Fleming Ave.

RETURN CERTIFICATE

(Regulatory Resolution No. 57/77/E)

I hereby certify that I did this 12th day of October, 19 77 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 57/77/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section ¹⁷⁻⁴(a) of Chapter 17, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.



Acting Chairman

~~EXECUTIVE SECRETARY~~



president of common council

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

john nuckols

councilman, 1st district

2419 winch 46803

October 11, 1977

Mr. William Hinga
Chairman of Finance
Common Council

Dear Chairman:

As President of the Common Council I feel obligated to attend this year's National League of Cities which will be convening in San Francisco on December 3. My presence is important due to the fact that I am serving on the National League of Cities' Employment and Income Security Policy Committee, established by the Board of Directors of the National League of Cities. This Committee will examine Federal Policies, Programmatic Proposals in the areas of: Employment, Manpower Development, Social Insurance, & Income Support Programs. I also am currently on various boards and directorships of the National Black Caucus of Local Elected Officials.

I will best serve my community by attending the pre-conference meetings. Therefore, I am hereby serving notice that my absence from this Council will be imperative on the first week of December.

In the event Councilmembers may wish to pose questions before any committee at this Convention, please feel free to supply me with the details. Due to my position, I feel that I should share this with my fellow councilmembers.

Respectfully,

John Nuckols
President of Common Council

JN/rh

10/11/77 MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

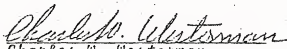
MOTION FOR A MATTER OF RECORD CERTIFICATION

I, Charles W. Westerman, duly elected City Clerk of Fort Wayne, Indiana, and Clerk of the Common Council of the City of Fort Wayne, Indiana do hereby certify that on October 4th, 1977, in Committee Session of the Common Council a motion was made for a matter to be placed on record in the Office of the City Clerk through a motion made by Winfield Moses, Councilman, and seconded by Fredrick Hunter, Councilman. Said motion was voted to be made a matter of record by a vote of:

Ayes: Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier,
Total: Eight Talarico

Nays:
Total: None
Absent: One, Nuckols

Made a matter of record
on this date 10/5/77


Charles W. Westerman
Clerk of the City of Fort Wayne
& Clerk of the Common Council

Motion made by Win Moses:

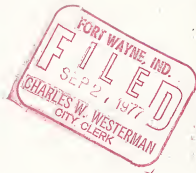
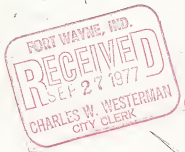
I move that on Thursday at 3:00 we ask Judge Logan to attend the meeting with the Mayor and whatever other legal counsel the Mayor has with him to pursue it (the subpoenaed records of the Fort Wayne Police Department), that we ask the Mayor to make it available on an individual private basis between the Councilmen and the Mayor's Office at convenient periods between Thursday and the following Monday at 7:00 P.M.

Seconded by Fred Hunter.

Carol G. Reiche

10-5-77

MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK



September 13, 1977

Mayor Robert Armstrong
Police Chief Kenneth Buckmaster
City-County Building
#1 Main Street
Fort Wayne, Indiana 46801

MADE A MATTER OF RECORD
DATE 10-11-77 CHARLES W. WESTERMAN, CITY CLERK

Gentlemen:

We the merchants and businessmen of the downtown area respectfully petition Mayor Robert Armstrong and Police Chief Kenneth Buckmaster to reinstate Officer Steven Boerger to his beat.

There was a void after the unfortunate loss of Officer Murray which was finally filled by Officer Boerger. We have special needs that Officer Boerger was familiar with. He did a good job and we would like to see him returned to his beat.

<u>OWM 7 Agers</u>	<u>Marcus County Reg</u>
<u>Joseph S. Straker</u>	<u>Chmester</u>
<u>Steve Smith</u>	<u>118 W. Main St</u>
<u>A. Sauer</u>	<u>Where Cress Supply</u>
<u>Frank Bell</u>	<u>National Agor</u>
<u>J. Neelham Jr</u>	<u>Neelham's Business Machines</u>
<u>Ray</u>	<u>716 S. Harrison</u>
<u>W. Ryan</u>	<u>Cur Rest</u>
<u>John H. Smith</u>	<u>618 S. Calhoun S. B. Ryan</u>
<u>John R. Myers</u>	<u>624 S. Calhoun Kiegels</u>
<u>J. B. Spencer</u>	<u>135 COLUMBIA "MOTHERS"</u>
<u>Gene Rudek</u>	<u>634 S. Harrison St.</u>
<u>Cal & Payne</u>	<u>201 W. Main (Cats Man)</u>
	<u>226 W. Main "Up the Street"</u>

September 13, 1977

Mayor Robert Armstrong
Police Chief Kenneth Buckmaster
City-County Building
#1 Main Street
Fort Wayne, Indiana 46801

Gentlemen:

We the merchants and businessmen of the downtown area respectfully petition Mayor Robert Armstrong and Police Chief Kenneth Buckmaster to reinstate Officer Steven Boerger to his beat.

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<i>Ray L. Mader</i>	<i>All Star Printing</i>
<i>Alan H. Haddock</i>	<i>Swingline Sales / Cramer X</i>
<i>Wm. T. Chir</i>	<i>Canton Dry</i>
<i>Peter Refshing</i>	<i>Pioneer Barber Supply</i>
<i>Karl Replogle</i>	<i>Silver Dollar</i>
<i>Ms. Don Stump</i>	<i>Star Billiard Supply</i>
<i>Leif B. Ruch</i>	<i>Ross Radio</i>
<i>Giff J. Smith</i>	<i>Midwest Florist Supply</i>
<i>Shirley Forst</i>	<i>Perfection Biscuit Co.</i>
<i>JA H. Hatcher</i>	<i>Hone APP. INC.</i>
<i>Michael P. Chas</i>	<i>Coney Island</i>
<i>Daniel T. Replogle</i>	<i>Danny's Pizza</i>

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 11th day of October, 1977 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 11th day of October, 19 77.

Charles W. Westerman
City Clerk